

§ 1016.44

10 CFR Ch. X (1–1–06 Edition)

§ 1016.44 Violations.

An injunction or other court order may be obtained prohibiting any violation of any provision of the Act or any regulation or order issued thereunder. Any person who willfully violates, attempts to violate, or conspires to violate any provision of the Act or any regulation or order issued thereunder, including the provisions of this part, may be guilty of a crime and upon conviction may be punished by fine or imprisonment, or both, as provided by law.

PART 1017—IDENTIFICATION AND PROTECTION OF UNCLASSIFIED CONTROLLED NUCLEAR INFORMATION

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AUTHORITY: 42 U.S.C. 2168; 28 U.S.C. 2461 note.

SOURCE: 50 FR 15822, Apr. 22, 1985, unless otherwise noted.

§ 1017.1 Purpose and scope.

(a) This part contains regulations of the Department of Energy (DOE) implementing section 148 (42 U.S.C. 2168) of the Atomic Energy Act which prohibits the unauthorized dissemination of certain unclassified government information. This information, identified by the term “Unclassified Controlled Nuclear Information” (UCNI), is lim-

ited to information concerning atomic energy defense programs.

(b) These regulations—

- (1) Provide for the review of information prior to its designation as UCNI;
- (2) Describe how information is determined to be UCNI;
- (3) Establish minimum physical protection standards for documents and material containing UCNI;
- (4) Specify who may have access to UCNI; and
- (5) Establish a procedure for the imposition of penalties on persons who violate section 148 of the Atomic Energy Act or any regulation or order of the Secretary issued under section 148 of the Atomic Energy Act, including these regulations.

§ 1017.2 Applicability.

These regulations apply to—

- (a) Any person authorized access to UCNI;
- (b) Any person not authorized access to UCNI who acquires, attempts to acquire, or conspires to acquire, in violation of these regulations, Government information in any document or material containing an UCNI notice (refer to § 1017.15); and
- (c) Any person not authorized access to UCNI but who wants to be authorized access to UCNI.

§ 1017.3 Definitions.

As used in this part—

- (a) *Atomic Energy Act* means the Atomic Energy Act of 1954, as amended (42 U.S.C. 2011 *et seq.*).
- (b) *Atomic Energy Defense Programs* means activities, equipment, and facilities of the DOE or other Government agencies utilized or engaged in support of the—

- (1) Development, production, testing, sampling, maintenance, repair, modification, assembly, utilization, transportation, or retirement of nuclear weapons or components of nuclear weapons;
- (2) Production, utilization, or transportation of nuclear material for military applications; or
- (3) Safeguarding of activities, equipment, or facilities which support the functions in paragraphs (b)(1) and (b)(2) of this section, including the protection of nuclear weapons, components of